

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK-----X  
:  
DONAHUE FIELDS, :

Plaintiff, :

-against- :

2234 EAST SIDE DELI INC., *et al.*, :

Defendants. :

24-CV-9211 (VSB)

**ORDER**-----X  
VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on December 3, 2024, (Doc. 1), and filed affidavits of service on December 13, 2024, (Docs. 7, 8). The deadline for Defendants to respond to Plaintiff's complaint was January 2, 2025. To date, Defendants have not appeared or responded to the complaint. On January 10, 2025, I ordered Plaintiff to seek default judgment by January 24, 2025, or else risk a dismissal of this action for failure to prosecute. (Doc. 9.) On January 18, 2025, Plaintiff filed a letter stating that he "does not intend to seek a default judgment" at the time, and requested 45 days to serve Defendant Corner 1st and 115th LLC at "a better address." (Doc. 10.) I granted that request. (Doc. 11.) On March 5, 2025, Plaintiff stated that he served Defendant Corner 1st and 115th LLC at the "better address" and was "awaiting a response," and requested that Defendants have 45 additional days to respond to the complaint. (Doc. 12.) I granted that request. (Doc. 12.) Since then, no party has provided any further updates.

Accordingly, it is hereby:

ORDERED that Plaintiff seek a default judgment in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than May 15, 2025. If Plaintiff fails to do so, I may dismiss this case for failure to prosecute pursuant to Federal Rule of Civil Procedure

41(b).

SO ORDERED.

Dated: May 1, 2025  
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick", written over a horizontal line.

VERNON S. BRODERICK  
United States District Judge